

FILE COPY

DEC 10 1917

JAMES D. FAHER

No. 769.

IN THE
SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1917.

MEYER GRAUBARD, *Appellant*,

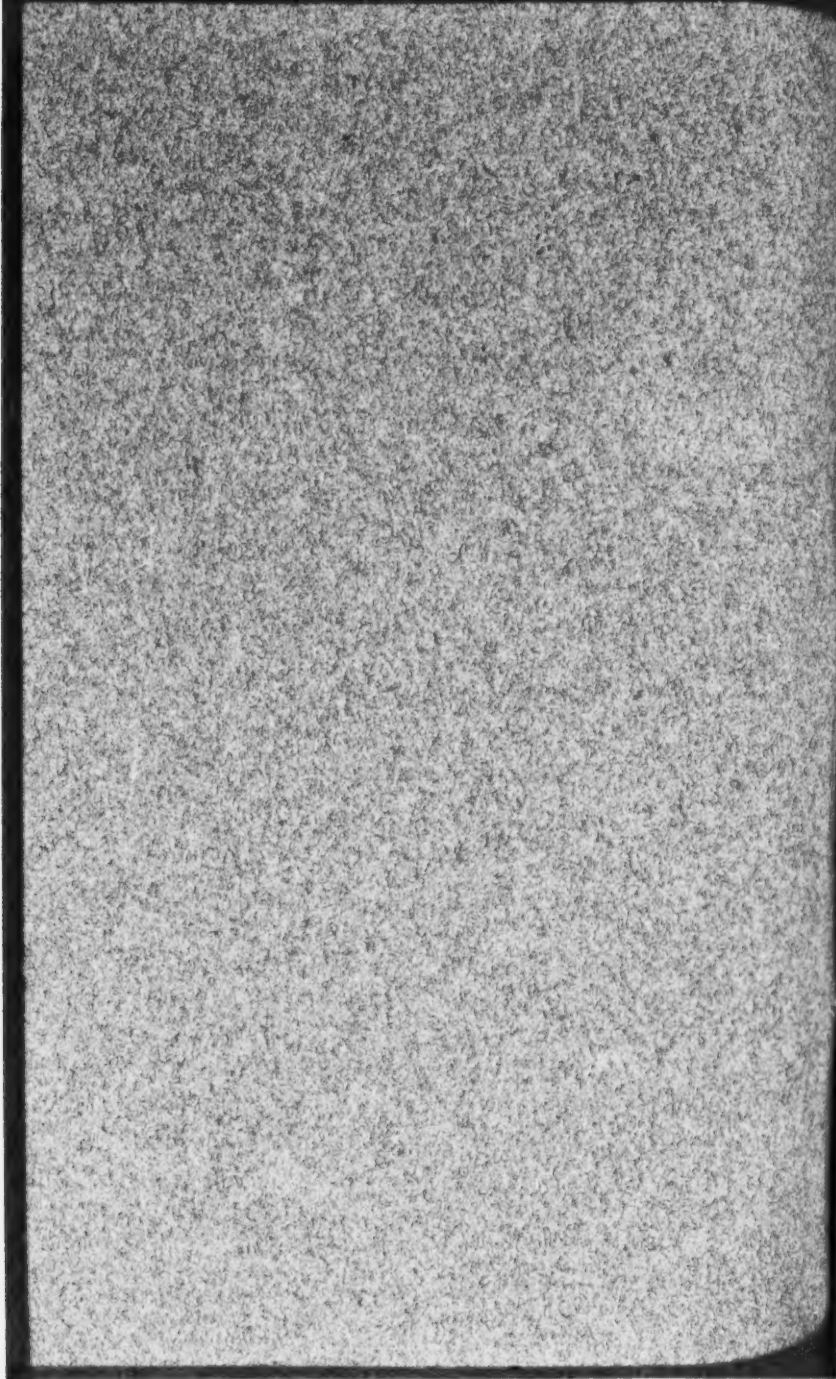
v.

THE UNITED STATES OF AMERICA, *Respondent*.

APPEAL FROM THE DISTRICT COURT OF THE
UNITED STATES FOR THE SOUTHERN
DISTRICT OF NEW YORK.

MOTION BY THE APPELLANT TO
ADVANCE.

Press of the Sudwarth Company.



IN THE
Supreme Court of the United States

OCTOBER TERM, 1917.

MEYER GRAUBARD, *Appellant*,
v.
THE UNITED STATES OF AMERICA, *Respondent*.

} No. 769.

APPEAL FROM THE DISTRICT COURT OF THE
UNITED STATES FOR THE SOUTHERN
DISTRICT OF NEW YORK.

MOTION BY APPELLANT TO ADVANCE.

Comes now Edwin D. Talliaferro, Esq., Counsel for the Appellant and appearing on his behalf and respectfully moves the court to advance the above entitled cause and set it down for hearing with No. 656, No. 663, No. 664, No. 665, No. 666, No. 680, No. 681, and No. 702 heretofore advanced and set for hearing on Monday, December 10, 1917.

This is another of the cases known as the "Selective Draft Law" cases.

Appellant was convicted in the United States District Court for the Southern District of New York for failing to appear and register himself, in violation of the act of Congress approved May 18, 1917, and the proclamation of the President.

He was sentenced to imprisonment for one year and a fine was imposed upon him as appears from the record on appeal.

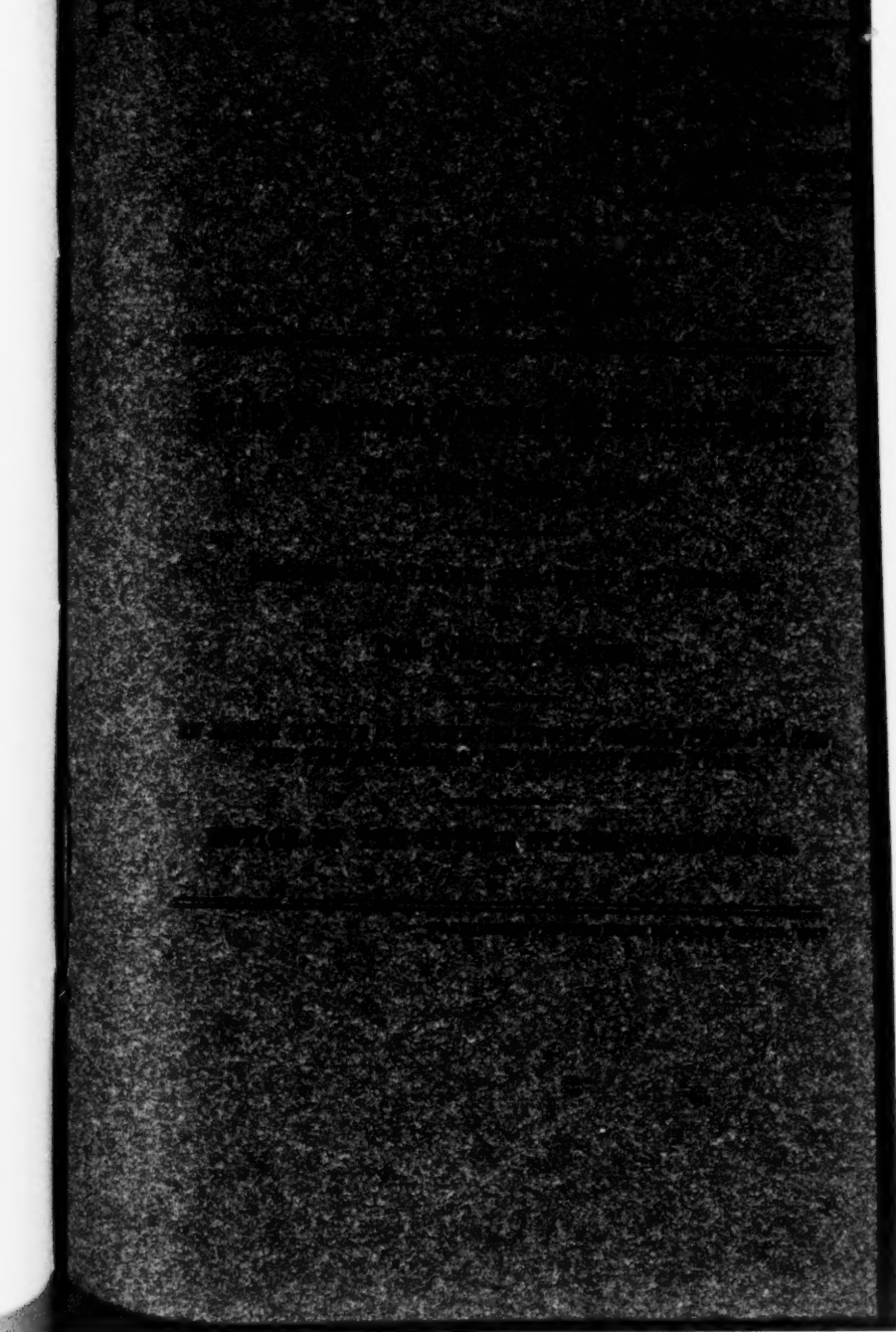
He obtained a writ of error from one of the justices of this court and is now on bail.

The sole question involved in this appeal is the constitutionality of the act of Congress approved May 18, 1917. Cases No. 663, No. 664, No. 665, No. 666 and No. 680 advanced as before stated, involve the identical same question involved in this appeal, and none other. Petitioner therefore submits that it would economize the time of this court and simplify matters in the argument if this case were argued at the same time of the cases above mentioned. He therefore respectfully prays that an order be entered herein advancing this case and setting it down for argument with the other cases heretofore mentioned. Petitioner is counsel for Appellant and is here from New York City for the purpose of arguing this appeal.

Notice of this motion has been served upon the Solicitor General and he has consented that an order be entered as herein prayed. Appellant has no attorney of record who is admitted to practice in this court, but has appeared in person.

EDWIN D. TALLIAFERRO,
of Counsel for Appellant.

December 7, 1917.



In the Supreme Court of the United States.

OCTOBER TERM, 1917.

MEYER GRAUBARD, PLAINTIFF IN ERROR,

v.

THE UNITED STATES.

} No. —.

*IN ERROR TO THE DISTRICT COURT OF THE UNITED STATES
FOR THE SOUTHERN DISTRICT OF NEW YORK.*

MOTION BY THE UNITED STATES TO ADVANCE.

Comes now the Solicitor General and respectfully moves the court to advance the above-entitled cause and set it down for hearing with Nos. 656, 663, 664, 665, 666, 680, 681, 702, and 738, heretofore advanced and set for hearing on Monday, December 10, 1917.

This is another of the cases known as the "Selective Draft Law" cases.

Plaintiff in error was convicted in the District Court of the United States for the Southern District of New York for failing to appear and register himself as required by the so-called "Selective Draft Law" of May 18, 1917, and the proclamation of the President issued pursuant thereto. He was sentenced to imprisonment for the period of one year in the

Mercer County Jail, New Jersey, and is now serving his sentence because of the refusal of the trial court to admit him to bail.

The principal question presented in the case is the constitutionality of the "Selective Draft Law."

Prompt enforcement of the criminal provisions of the law involved and the administration of the provisions governing the drafting and assembling of the Army are reasons for requesting the determination of this case at the same time as the others hereinbefore mentioned.

Opposing counsel concur.

JOHN W. DAVIS,
Solicitor General.

NOVEMBER, 1917.



